

AMENDED IN SENATE APRIL 28, 2010  
AMENDED IN ASSEMBLY JANUARY 25, 2010  
AMENDED IN ASSEMBLY APRIL 23, 2009  
AMENDED IN ASSEMBLY APRIL 1, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 537**

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**Introduced by Assembly Member Arambula**  
*(Coauthors: Assembly Members Caballero and Solorio)*

February 25, 2009

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An act to add ~~Section 10072.1~~ *Section 10072.1* to the Welfare and Institutions Code, relating to public benefits.

LEGISLATIVE COUNSEL'S DIGEST

AB 537, as amended, Arambula. Farmers' markets: electronic benefit transfers.

Existing law provides for the establishment of a statewide electronic benefit transfer (EBT) system for the purpose of providing financial and food assistance benefits to needy Californians.

This bill would require, with certain exceptions, a flea market, farmers' market, or certified farmers' market that does not have an EBT system in place by January 1, 2012, to designate or assign an interested Food and Nutrition Service (FNS)-authorized organization to operate an EBT acceptance system in the market, as specified. The bill would require the State Department of Social Services to consider and solicit input from the market prior to making a designation or assignment authorized under the bill, to avoid potential conflicts, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 10072.1 is added to the Welfare and  
2     Institutions Code, to read:  
3     10072.1. (a) The Legislature finds and declares that ~~flea-market~~  
4     ~~markets~~, farmers' markets, and certified farmers' markets are  
5     important sources of low-cost produce for Californians in need of  
6     food assistance.  
7     (b) (1) If by January 1, 2012, a market described in subdivision  
8     (a) does not have a system in place for its produce sellers to accept  
9     electronic benefit transfer (EBT) for purchases, the State  
10    Department of Social Services may designate or assign an  
11    interested Food and Nutrition Service (FNS)-authorized  
12    organization to operate an EBT acceptance system in the market  
13    on behalf of the market's produce sellers. The market shall allow  
14    and accommodate the FNS-authorized organization in a reasonable  
15    manner that aids in the creation, implementation, and operation of  
16    the EBT acceptance system.  
17    (2) This subdivision shall not apply to a market described in  
18    subdivision (a) that operates an active and current EBT acceptance  
19    system.  
20    (c) The State Department of Social Services shall consider and  
21    solicit input from the market prior to making a designation or  
22    assignment authorized under this section; to avoid, among other  
23    potential conflicts, the selection of an entity that is in direct  
24    competition with the market being served. The department may  
25    condition an assignment or designation, and remove an  
26    FNS-authorized organization previously designated or assigned  
27    by the department.  
28    (d) Nothing in this section shall be interpreted to require a  
29    market described in subdivision (a) to itself create, operate, or  
30    maintain an EBT acceptance system on behalf of its produce  
31    sellers.

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